

## **EXHIBIT D**

## **Exhibit 4**



To the US District Court  
for the Southern District of New York

**Reference:**  
G01290882;G01290882-000013

**Contact:**  
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through Lenz & Staehelin, Geneva

Bern, 28 February 2020

### **Confirmation**

In our capacity as the Swiss Financial Market Supervisory Authority FINMA (formerly Swiss Federal Banking Commission) and responsible for banking supervision, we hereby confirm that

**the fifty four (54) below mentioned banks ("the banks")**

were authorized to act as a bank in accordance with Article 3 of the Federal Act on Banks and Savings Banks of 8 November 1934 from 1<sup>st</sup> January 2004 to 31 December 2008 ("relevant period").

In addition, we can confirm that the banks have been prudentially supervised by our Authority since they were authorized.

### **Entities authorized to act as a bank and supervised by our Authority during the whole relevant period**

- **ABN AMRO Bank (Switzerland) AG**
- **BANCA ARNER SA**
- **Banca Commerciale Lugano**
- **Banco Santander International SA**
- **Bank J. Safra Sarasin AG**
- **Bank Julius Bär & Co. AG**
- **Bank Sal. Oppenheim jr. & Cie (Schweiz) AG**
- **Bank Vontobel AG**
- **Banque Cantonale Vaudoise**
- **Banque Lombard Odier & Cie SA**
- **Banque Pictet & Cie SA**
- **Banque Privée Espirito Santo SA**
- **Banque SYZ SA**





- Barclays Bank (Suisse) SA
- BBVA SA
- BIPIELLE Bank (Suisse)
- Bordier & Cie
- BSI SA
- CA Indosuez (Switzerland) SA
- CBH Compagnie Bancaire Helvétique SA
- Citibank (Switzerland) AG
- Clariden Leu AG
- Cornèr Banca SA
- Credit Suisse AG
- Deutsche Bank (Suisse) SA
- Dresdner Bank (Schweiz) AG
- Edmond de Rothschild (Lugano) SA
- Edmond de Rothschild (Suisse) S.A.
- EFG Bank AG
- Falcon Private Bank AG
- FINTER BANK ZÜRICH AG
- HINDUJA BANQUE (SUISSE) SA
- HSBC Private Bank (Suisse) SA
- ING Bank (Suisse) SA
- Investec Bank (Switzerland) AG
- Lloyds Bank plc, Londres, succursale de Genève
- Merrill Lynch Bank (Suisse) SA
- Mirabaud & Cie SA
- Piguet Galland & Cie SA
- PKB PRIVATBANK SA
- Privatbank IHAG Zürich AG
- Rahn+Bodmer Co.
- RBS Coutts Bank AG
- Rothschild & Co Bank AG
- ROYAL BANK OF CANADA (SUISSE) SA
- Schroder & Co Bank AG
- Sella Bank SA
- SOCIETE GENERALE Private Banking (Suisse) SA
- SOCIETE GENERALE Private Banking (Lugano-Svizzera)
- UBS AG
- Wegelin & Cie.

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**Entities authorized to act as a bank and supervised by our Authority  
during a part of the relevant period**

- **Banca del Gottardo** (from 01.01.2004 to 26.06.2008)
- **Banca Unione di Credito (BUC)** (from 01.01.2004 to 28.12.2006)
- **InCore Bank AG** (from 12.12.2006 to 31.12.2008)

Yours faithfully

**Swiss Financial Market Supervisory Authority FINMA**  
Banks division



Annemarie Nussbaumer



Nina Reiser